REMARKS

Entry of the above-noted amendments, reconsideration of the Application, and allowance of all claims pending are respectfully requested. By this amendment, claims 1, 4, 9-10, and 17-23 are amended and claims 30-32 are added. These amendments to the claims constitute a bona fide attempt by Applicant to advance prosecution of the Application and obtain allowance of the pending claims, and are in no way meant to acquiesce to the substance of the rejections. The specification has been amended to correct a typographical error. Support for the amendments can be found throughout the specification (e.g., *Application*, ¶ 7, 19-21), figures (e.g., FIG. 1), and claims (e.g., claim 18) and thus, no new matter has been added. Claims 1-32 are pending.

Claim Rejections - 35 U.S.C. § 101:

Claims 17-21 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. This rejection is respectfully, but most strenuously, traversed.

Without acquiescing in the rejection, Applicant has amended claims 17-21 presented herewith and respectfully submits that claims 17-21 are directed to statutory subject matter.

Withdrawal of the § 101 rejections is therefore respectfully requested.

Claim Rejections - 35 U.S.C. § 112:

Claims 10-16, 22-26, and 29 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claims 10-16, 22-26, and 29 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These rejections are respectfully, but most strenuously, traversed.

35 U.S.C. § 112, FIRST PARAGRAPH:

The Office Action states:

The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification does not [*sic*] a remote user entering an activation code into the device. *Office Action*, 07/19/06, pg. 8.

As stated in MPEP §608.01(o) "Basis for Claim Terminology in Description":

The meaning of every term used in any of the claims should be apparent from the descriptive portion of the specification with clear disclosure as to its import; and in mechanical cases, it should be identified in the descriptive portion of the specification by reference to the drawing, designating the part or parts therein to which the term applies.

Applicant's claim 10 recites, *inter alia:*

receive a request to activate the disabled option from a user remote from the device and the centralized facility;

electronically transmit the alphanumeric code to the user, the alphanumeric code configured to activate the disabled option upon inputting of the alphanumeric code by the user on the data entry module communicatively coupled with the stand-alone device.

Applicant's claim 22 recites, *inter alia:*

display a graphical user interface configured to facilitate user activation of a disabled option resident on a medical imaging device by a user remote from the medical imaging device;

generate an alphanumeric code configured to activate the disabled option upon inputting of the alphanumeric code by the user on a data entry module communicatively coupled with the medical imaging device.

Applicant's specification recites, *inter alia:*

The present invention includes a system that includes hardware and software located at a centralized facility to identify a customer and, if desirable, license, permit access to, and enable options resident in memory of remote devices. Such a system includes a graphical user interface (GUI) that is displayed as a website (private or public) and that is accessible by a customer from a workstation remote from the centralized facility. The centralized facility is capable of receiving and authenticating a customer identification, validating an access request, and creating an electronic enabler in response to the request to access a disabled option. Software at the centralized facility also generates an electronic contract setting forth terms of a licensing agreement granting access to the option for a predetermined period, e.g., a 30-day trial period. Upon acceptance of the terms of the contract, an electronic enabler such as an alphanumeric pass code is automatically generated. The enabler is encrypted and includes codes setting forth the terms of the usage. Once the electronic enabler is generated by the centralized facility, the centralized facility transmits the electronic enabler through an electronic mail system to the customer workstation. Alternatively, the electronic enabler is displayed on the GUI. Further, an instruction manual having guidelines for use of the option and instructions to activate the option may be transmitted to the user or displayed on the GUI. Once the customer receives the enabler, the customer can then input the enabler to the device and thereby activate the option. *Application,* ¶ 7.

Hospital 14 further includes a plurality of user workstations 15 and telephone stations 17 remotely located from the stand-alone medical imaging devices 12 to, among other tasks, facilitate user activation of a non-enabled software option of a stand-alone medical imaging device 12.... *Application*, ¶ 19.

Each workstation 15 described herein and referenced in Fig. 1 may be linked selectively to the centralized facility. According to the present invention, any acceptable network may be employed whether public, open, dedicated, private, or so forth. The communications links to the network may be of any acceptable type, including conventional telephone lines, fiber optic, cable modem links, digital subscriber lines, wireless data transfer systems, or the like. Each of the systems is provided with communications interface hardware and software of generally known design, permitting each to establish network link and exchange data with the centralized facility 16. The systems are provided with interactive software so as to configure the systems and exchange data between the workstations and the centralized facility. In some case, during periods when no data is exchanged between the workstation and the centralized facility, the network connection is terminated. In other cases, the network connection is maintained continuously. *Application*, ¶ 20.

In a further embodiment, a request for access to software-based options that are disabled can be initiated by authorized personnel, such as an on-line engineer or technician, or customer administrative personnel from a computer or workstation 42 in a remote link 20 remote from the medical treatment facility 14, which can be a part of the centralized facility 16, or be separately connected to the centralized facility 16 by a dialup link 44 to a web server 46 in the centralized facility 16. The remote link 20 can also serve to connect the centralized facility 16 to a customer remote from the medical treatment facility 14 by a telephone and telephone connection 48 through a conventional telephone network 50 and to an interactive voice recognition system (IVR) 52 in the centralized facility 16. *Application*, ¶ 21.

In an exemplary implementation of Applicant's claim 10, a request for access to software-based options that are disabled can be initiated by a user from a data entry module such as a computer or workstation 42 in a remote link 20 communicatively coupled with the stand-alone device 12. In a further exemplary implementation of Applicant's claim 10, the remote link 20 serves to connect the centralized facility 16 to a user who is remote from the medical treatment facility 14 and who is separately connected to the centralized facility 16 by a dialup link 44 to a web server 46 in the centralized facility 16. In another exemplary implementation of Applicant's claim 10, the remote link 20 serves to connect the centralized facility 16 to a user remote from the medical treatment facility 14 by a telephone and telephone connection 48 through a conventional telephone network 50 and to an interactive voice recognition system (IVR) 52 in the centralized facility 16.

Applicant's specification contains a written description of the invention of Applicant's claim 10, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same. The meaning of every term used in Applicant's claim 10 is apparent from the descriptive portion of the specification with clear disclosure as to its import. The specification does disclose, *inter alia*, receiving a request to activate the disabled option from a user remote from the device and the centralized facility; and electronically transmitting the alphanumeric code to the user, the alphanumeric code configured to activate the disabled option upon inputting of the alphanumeric code by the user on the data entry module communicatively coupled with the stand-alone device.

An exemplary implementation of Applicant's claim 22 displays a graphical user interface configured to facilitate user activation of a disabled option resident on the medical imaging device 12 by a user remote from the medical imaging device 12. A further exemplary implementation of Applicant's claim 22 generates an alphanumeric code configured to activate the disabled option upon inputting of the alphanumeric code by the user on a data entry module such as a computer or workstation 42 in a remote link 20 communicatively coupled with the medical imaging device 12.

Applicant's specification contains a written description of the invention of Applicant's claim 22, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same. The meaning of every term used in Applicant's claim 22 is apparent from the descriptive portion of the specification with clear disclosure as to its import. The specification does disclose, *inter alia*, displaying a graphical user interface configured to facilitate user activation of a disabled option resident on a medical imaging device by a user remote from the medical imaging device; and generating an alphanumeric code configured to activate the disabled option upon inputting of the alphanumeric code by the user on a data entry module communicatively coupled with the medical imaging device.

Withdrawal of the § 112, first paragraph, rejection of independent claims 10 and 22 and the corresponding dependent claims 11-16, 23-26, and 29 is therefore respectfully requested.

35 U.S.C. § 112, SECOND PARAGRAPH:

The Office Action states:

a.   Regarding claim 10, it is unclear how the user can input an alphanumeric code on the data entry module of the stand-alone device if the user is remote from the device

b.   Regarding claim 22, it is unclear how the user can input an alphanumeric code on the data entry module of the stand-alone device if the user is remote from the device. *Office Action*, 07/19/06, pg. 8.

Further to the discussion above in connection with the § 112, first paragraph, rejection, an exemplary implementation of Applicant's claim 10 and/or 22 generates an alphanumeric code configured to activate the disabled option upon inputting of the alphanumeric code by the user on a data entry module such as a computer or workstation 42 in a remote link 20 communicatively coupled with the medical imaging device 12.

Withdrawal of the § 112, second paragraph, rejection of independent claims 10 and 22 and the corresponding dependent claims 11-16, 23-26, and 29 is therefore respectfully requested.

Claim Rejections - 35 U.S.C. § 103:

Claims 10-12, 17-19, 22-24 & 26 are rejected under 35 U.S.C. §103(a) as being unpatentable over Steinmetz et al. (USP 6,672,505) and Whigham (USP 6,584,309). Claims 20 & 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Steinmetz et al. '505 and Whigham '309, as applied to claim 17 above, in further view of Fenstemaker et al. (USP 6,490,684). Claims 1-5, 7-12, 16-18 & 20-21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Rive (USP 6,301,666), Whigham '309 and Fenstemaker et al. '684. Claim 3 is rejected under 35 U.S.C. §103(a) as being unpatentable over Rive '666, Whigham '309 and Fenstemaker et al. '684, as applied to claim 2 above, in further view of Colvin (US Pub. 2001/0034712). Claim 13 is rejected under 35 U.S.C. §103(a) as being unpatentable over Rive '666, Whigham '309 and Fenstemaker et al. '684, as applied to claim 12 above, in further view of Mccown et al. (US Pub. 2002/0124168). Claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Rive '666, Whigham '309 and Fenstemaker et al. '684, as applied to claim 10 above, in further view of Steinmetz et al. '505 Claims 6 & 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Rive '666, Whigham '309 and Fenstemaker et al. '684, as applied to claims 1 & 10 above, in further view of "Something for Nothing – Phone for free, save on books, or build a home page on the house. The Web offers an abundance of free stuff-but watch out for strings" by Castagna. Claim 25 is rejected under 35 U.S.C. §103(a) as being

unpatentable over Steinmetz et al. '505 and Whigham '309, as applied to claim 24 above, in view of Castagna and Dutta (US Pub. 2002/0078177). Claims 27-28 are rejected under 35 U.S.C. §103(a) as being unpatentable over Rive '666, Whigham '309 and Fenstemaker et al. '684, as applied to claim 1 above, in view of Rose (USP 5,708,709). Claim 29 is rejected under 35 U.S.C. §103(a) as being unpatentable over Steinmetz et al. '505, Whigham '309, Castagna and Dutta '177, as applied to claim 25 above, in view of Takae et al. (USP 6,795,703). These rejections are respectfully, but most strenuously, traversed.

Applicant respectfully submits that the Examiner's citations to the applied references, with or without modification or combination, assuming, *arguendo*, that the modification or combination of the Examiner's citations to the applied references is proper, do not teach or suggest one or more elements of the claimed invention, as further discussed below. In discussing the Examiner's citations to the applied references herein, Applicant does not acquiesce in the modification or combination of the Examiner's citations to the applied references.

For explanatory purposes, Applicant discusses herein one or more differences between the Examiner's citations to the applied references and the claimed invention with reference to one or more parts of the applied references. This discussion, however, is in no way meant to acquiesce in any characterization that one or more parts of the Examiner's citations to the applied references correspond to the claimed invention.

INDEPENDENT CLAIM 17 DISCUSSED WITH ALL APPLIED ART

Now is discussed the patentability of independent claim 17 presented herewith relative to the references applied to all the original claims. It is instructive to review the discussion of the limitations of claim 17 herein in connection with the applied references to review the patentability of independent claims 1, 10, 17, and 22.

Applicant respectfully submits that the Examiner's citations to the applied references do not teach or suggest one or more elements of the claimed invention. A careful reading of the Examiner's citations to the applied references fails to set forth a sustainable basis that the references teach or suggest, for example, receipt, at a centralized facility, of a request to activate an option resident in memory of a remote stand-alone device from a user via a data entry module remote from the centralized facility and communicatively coupled with the remote stand-alone device, as recited in Applicant's independent claim 17.

Steinmetz et al. '505 discloses configuration of ATMs:

> In this described exemplary embodiment a servicer may manually input an
> authorization key or configuration certificate by typing information into a keypad
> of the ATM or otherwise providing such data through an input device on the
> ATM. Alternatively, the servicer may input an authorization key or a
> configuration certificate by reading the authorization key or configuration
> certificate with a portable medium reader such as a card reader, a floppy disk
> reader, a CD-ROM reader, or a scanner that is in operative connection with the
> ATM.
>
> FIG. 3 shows a schematic view of an exemplary system 60 for
> authorizing the configuration of ATMs using an authorization key. Here the
> licensing authority 62 operates an authorization key generation[] application 64.
> The key generation application 64 includes an authorization algorithm 66 that is
> operative to produce a first authorization key responsive to[] information
> associated with an individual ATM 70. In the exemplary embodiment the first
> authorization key 72 is required to be input into a configuration software program
> 74 to enable the configuration software to configure the ATM 70. The exemplary
> configuration software 74 includes an authorization algorithm 76 that
> corresponds to the authorization algorithm 66 of the key generation application
> 64.
>
> The authorization algorithm 76 is operative to produce a second
> authorization key responsive to information associated with the ATM 70. The
> configuration software 74 is operative to validate the input first authorization key
> by comparing it to the generated second authorization key. If the keys match, the
> configuration software 74 enables the configuration of the ATM 70 to proceed. If
> the keys do not match, the configuration of the ATM 70 is not allowed to
> proceed. *Steinmetz et al. '505*, col. 9, lns. 19-53.

The servicer configuration of the ATM fails to disclose, *inter alia*, the activation of an
option resident in memory of the ATM already in use as a remote stand-alone ATM for a remote
user of the remote stand-alone ATM. Simply missing from the Office Action's citation to
Steinmetz et al. '505 is any mention of receipt, at a centralized facility, of a request to activate an
option resident in memory of a remote stand-alone device from a user via a data entry module
remote from the centralized facility and communicatively coupled with the remote stand-alone
device, as recited in Applicant's independent claim 17. This point is even conceded by the Office
Action: "Steinmetz lacks the user being remote from the centralized facility and the remote stand-
alone device." *Office Action*, 07/19/06, pg. 9.

So, the Office Action's citation to Steinmetz et al. '505 fails to satisfy at least one of the
limitations recited in Applicant's independent claim 17.

The shortcomings of the Examiner's citation to Steinmetz et al. '505 relative to certain
elements of the claimed invention have been discussed above. The Examiner proposes a
combination of the citation to Steinmetz et al. '505 with a citation to Whigham '309. However,

the Examiner's citation to Whigham '309 does not overcome the deficiency of the Examiner's citation to Steinmetz et al. '505. Applicant respectfully submits that the proposed combination of the Examiner's citation to Steinmetz et al. '505 with the Examiner's citation to Whigham '309 fails to provide the required approach, assuming, *arguendo*, that the combination of the Examiner's citation to Steinmetz et al. '505 with the Examiner's citation to Whigham '309 is proper.

Whigham '309 discloses the consumer 102 purchasing the product 104 from the vending machine 106:

> Turning to FIG. 1, there is shown the system 100 of the present invention. System 100 is configured to allow a consumer 102 to purchase a product 104 from a vending machine 106. The product 104 is offered for sale through the vending machine 106 by product provider 108. For the purposes of this invention, the term "product" means both products and services that may be offered through a vending machine.
>
> The system 100 comprises vending machine 106 having a local receiver 110, a cellular telephone 114 associated with the consumer 102 and having a local transmitter 116 and a network transmitter/receiver 118, and a computer (server) 120. Unless otherwise indicated the term "cellular telephone" shall include a PDA, or other personal communication device. The consumer's cellular telephone 114 is connected to the vending machine 106 via the cellular telephone's local transmitter 116, local communication link 112, and the vending machine's local receiver 110. The consumer's cellular telephone 114 is also connected to the server 120 via the cellular telephone's network transmitter/receiver 118 and telephone network 122. The telephone network 122 is a conventional cellular telephone system which allows the consumer 102 to use his or her cellular telephone 114 to establish a dial up connection with server 120.
>
> The server 120 performs three functions. First, the server 120 receives the consumer's call requesting a particular product 104 and from the call identifies a request for the product 104 in the vending machine 106. Second, upon identifying the request for the product 104, the server 120 creates a transaction record 124. Third, in response to the request for the product 104 in the vending machine 106, the server 120 generates a vend code 126 which authorizes the vending machine 106 to dispense the requested product 104 to the consumer 102.
>
> The server 120 may identify the request for the product 104 in several ways. In one embodiment of the invention, each product 104 has a unique dial up number for requesting the product. The server 120 captures the dialed digits and recognizes the request for the product 104 based solely on the number called to establish the connection from the cellular telephone 114 to the server 120. In another embodiment, the server may issue a query to the consumer 102 once the connection between the cellular telephone 114 and the server 120 has been established. In response to the query, the consumer 102 can identify the desired product 104 by either dialing additional digits or by a verbal response which is decoded by voice recognition software on the server 120.

The transaction record 124 created by the server 120 in response to the request for the product 104 includes an inventory record 128 and a billing record 130. The inventory record 128, identifying the product 104 and the vending machine 106, is transmitted to the product provider 108 so that the product provider 108 can restock the vending machine 106 in the conventional fashion as indicated by line 132. The billing record 130 identifies the consumer 102 based on the consumer's association with the cellular telephone 114. The billing record 130 also includes price information and may include other information about the transaction such as time, date, and location of the vending machine 106. The billing record 130 is sent to a billing agency 134. The billing agency 134 may be the telephone company which provides the consumer 102 a bill for cellular telephone service on a regular basis. Alternatively, the billing agency 134 may be a credit card company, financial institution that has issued a debit card, or the product provider 108. Whatever billing agency 134 is authorized, the billing agency 134 bills the consumer 102 for the product 104 and collects the payment for the benefit of the product provider 108.

After the server 120 has generated the vend code 126 in response to the request received for the product 104, the vend code 126 is communicated to the consumer 102 via the telephone network 122 and the consumer's cellular telephone 114. The vend code 126 is in turn transmitted to the vending machine 106 via the local transmitter 116, the local link 112, and the local receiver 112 thereby authorizing the vending machine 106 to dispense the product 104.

...

Regardless of the form of the vend code 126 or the local link 112, the vending machine 126 is programmed to dispense the product 104 upon receiving the proper vend code 126. A unique vend code may be created and transmitted to the vending machine 106 for each product 104 available for vending machine 106. In a system having multiple vending machines, the vend code may be unique for each vending machine within the system. It should also be noted that in accordance with the system of the present invention, there is no dedicated communication link required between the vending machine 102 and the server 120 that authorizes the vending machine 106 to dispense the requested product 104.

Turning to FIG. 2, there is shown a method 200 which allows the consumer 102 to purchase the product 104 from the vending machine 106 by using his or her cellular telephone 114. The method 200 beings at step 202 and proceeds to step 203. At step 203, the consumer 102 approaches the vending machine 106 that has the product 104 that the consumer 102 wishes to purchase. From information displayed on or adjacent the vending machine 106, the consumer 102 is able to ascertain the identity of the product 104 that he or she desires. In addition, instructions for using the consumer's cellular telephone 114 to request and pay for the product 104 are displayed on or adjacent the vending machine 106. Such instructions include a telephone number to call to request the product 104 and perhaps an alpha-numeric identifier for the product 104.

From step 203 the method proceeds to step 204. At step 204, the consumer 102 in response to the instructions at the vending machine 106 dials his or her cellular telephone 114 to make a telephone connection between the cellular telephone 114 and the server 120 and via telephone network 122. At step 206, the

server 120 answers the call, and a connection between cellular telephone 114 and server 120 is established via telephone network 122.

At step 208, the consumer 102 requests the product 104, and the server 120 identifies the product 104 requested by the consumer 102. A request at step 208 may be accomplished by several methods. First, each product in the vending machine 106 may have a unique dial up telephone number. Therefore, by dialing the designated telephone number for the requested product and by establishing the connection to the server 120, the server 120 is able to identify the requested product 104 based on capturing the number dialed to make the telephone connection.

Second, a single dial up number may be used for requesting all of the products 104 for the vending machine 106. In that case, once the connection to the server 120 has been made at step 206, the server 120, at step 208, may query the consumer 102 for additional information in order to identify the particular product 104 that is requested. Such additional information may include dialing of additional digits on the cellular telephone 114 or may employ voice recognition software so that the server 120 can recognize and process a voice request from the consumer 102.

Once the server 120 has received the information from the consumer 102 from which the server 120 can identify the requested product 104, the method moves to steps 210 and 212 in which the transaction record 124 is created (step 210) and the vend code 126 is generated step 212). Steps 210 and 212 may occur sequentially as shown in FIG. 2, in the reverse order from that shown in FIG. 2 or simultaneously. *Whigham* '309, col. 3, ln. 52, to col. 4, ln. 64, and col. 5, ln. 38, to col. 6, ln. 33.

The transaction record 124 created by the server 120 in response to the request for the product 104 via the consumer's cellular telephone 114 and that includes the inventory record 128 and the billing record 130, fails to disclose, *inter alia*, user request via a data entry module to self-enable a disabled option resident on the device. Simply missing from the Office Action's citation to Whigham '309 is any mention of receipt, at a centralized facility, of a request to activate an option resident in memory of a remote stand-alone device from a user via a data entry module remote from the centralized facility and communicatively coupled with the remote stand-alone device, as recited in Applicant's independent claim 17.

So, the Office Action's citation to Whigham '309 fails to satisfy at least one of the limitations recited in Applicants' independent claim 17.

The shortcomings of the Office Action's citation to Steinmetz et al. '505 and Whigham '309 relative to certain elements of the claimed invention have been discussed above. The Office Action proposes a combination of the citations to Steinmetz et al. '505 and Whigham '309 with a citation to Fenstemaker et al. '684. However, the Office Action's citation to Fenstemaker et al. '684 does not overcome the deficiency of the Office Action's citations to Steinmetz et al. '505

and Whigham '309. Applicants respectfully submit that the proposed combination of the Office

Action's citations to Steinmetz et al. '505 and Whigham '309 with the Office Action's citation to

Fenstemaker et al. '684 fails to provide the required approach, assuming, *arguendo*, that the

combination of the Office Action's citations to Steinmetz et al. '505 and Whigham '309 with the

Office Action's citation to Fenstemaker et al. '684 is proper.

Fenstemaker et al. '684 discloses a remote ultrasound vendor 410 transmitting a key to

the ultrasound device 100:

> As mentioned above, in addition to or instead of locally receiving a key,
> the ultrasound device 100 can remotely receive a key, as illustrated in the flow
> chart of FIG. 4. First, a user requests a key from a remote source, such as an
> ultrasound device vendor (step 410). As described in more detail below, the
> request preferably comprises information identifying the feature to be enabled
> and the specific ultrasound device. Next, the key is generated by the remote
> source (step 420) and transmitted to the ultrasound device 100 via the key
> receiver 150, which can be, for example, a network link or modem (step 430). It
> is possible that the remote source can generate an incorrect key or that a correctly
> generated key can become corrupted by a noisy transmission. Accordingly, it is
> preferred that the feature control manager 130 verify the received key to ensure
> that it will enable the feature and acknowledge receipt to the remote source (step
> 440). If an acknowledgement is not received or if an error message is generated,
> the remote source can retransmit the key (step 450). It is important to note that
> although the method described above is preferred, other methods can be used.
> Regardless of the way in which the key is received, it is preferred that the
> received key be stored in the feature control database 160 for future or repeated
> use. Alternatively, the received key can be valid only for a single use.
> *Fenstemaker* et al. '684, col. 3, ln. 26-51.

The remote ultrasound vendor 410 transmitting the key to the ultrasound device 100 fails

to disclose, *inter alia*, a centralized facility receiving from a user via a data entry module remote

from a remote stand-alone ultrasound device an activation request for the option resident in the

memory of the remote stand-alone ultrasound device. Simply missing from the Office Action's

citation to Fenstemaker et al. '684 is any mention of receipt, at a centralized facility, of a request

to activate an option resident in memory of a remote stand-alone device from a user via a data

entry module remote from the centralized facility and communicatively coupled with the remote

stand-alone device, as recited in Applicant's independent claim 17.

So, the Office Action's citation to Fenstemaker et al. '684 fails to satisfy at least one of

the limitations recited in Applicants' independent claim 17.

The shortcomings of the Office Action's citations to Whigham '309 and Fenstemaker et

al. '684 relative to certain elements of the claimed invention have been discussed above. The

Office Action proposes a combination of the citations to Whigham '309 and Fenstemaker et al.

'684 with a citation to Rive '666. However, the Office Action's citation to Rive '666 does not overcome the deficiency of the Office Action's citations to Whigham '309 and Fenstemaker et al. '684. Applicants respectfully submit that the proposed combination of the Office Action's citation to Whigham '309 and Fenstemaker et al. '684 with the Office Action's citation to Rive '666 fails to provide the required approach, assuming, *arguendo*, that the combination of the Office Action's citations to Whigham '309 and Fenstemaker et al. '684 with the Office Action's citation to Rive '666 is proper.

Rive '666 discloses a computer system 50 and support computer 300 having remote access clients 304 installed thereon that enable the support computer 300 to take control of, or at least access, the computer system 50 for the purposes of modifying the configuration of the supported partition 54:

> FIG. 4 is a block diagram illustrating a computer system 50, configured according to an exemplary embodiment of the present invention. Specifically, the computer system 50 is shown to include a storage device, in an exemplary form of a hard drive 52, that is configured to include four partitions, each of which supports an operating environment. While the storage device is shown to be included within the computer system 50, the present invention requires that the storage device merely be accessible by the computer system 50, and could be external to the computer system 50 and, for example, accessed over a network. Alternatively, the storage device may be a hard drive 52 that is directly accessible by the computer system 50.

> The hard drive 52 is shown to include four partitions, namely a supported partition 54 from which a supported environment is implemented, an unsupported partition 56 from which an unsupported environment is implemented, a mirror partition 58 and an output partition 60.

> ...

> ...The steps illustrated in FIG. 12 will be described with reference to FIG. 13, which is a block diagram illustrating an exemplary embodiment of a remote computer 50 with a supported partition 54 having a specific configuration and a support computer 300 that is capable of remotely accessing the computer system 50 by a network, such as for example the Internet 302. To facilitate this remote access, the computer system 50 and the support computer 300 have remote access clients 304 installed thereon that enable the support computer 300 to take control of, or at least access, the computer system 50 for the purposes of modifying the configuration of the supported partition 54. In one exemplary embodiment, the remote access clients 304 may comprise NetMeeting.TM. client programs, developed by Microsoft Corporation. In an alternative embodiment, the remote access client 304 may comprise the pcAnywhere.TM. software, developed by Symantec Corporation.

> Returning to FIG. 13, at step 280, the support computer 300 establishes remote control of, or at least access to, the computer system 50 via a network, for example the Internet 302. In this way, a support technician operating the support computer 300 is, at step 282, able remotely to access a registry editor 46 installed within the supported partition 54.

At step 284, the service technician, via the support computer 300 on the network 302, supplies a unique password to "unlock" the registry editor 46, and to disable the restrictions placed on the registry editor during an initial configuration of the supported partition 54. Having thus supplied the password, the service technician is, at step 286, able remotely to modify the registry 40 to enable launch, operation and execution of a pre-installed, but previously disabled or inactive, application program installed on the supported partition 54. As mentioned above, this may involve the removal of various restrictions implemented via the registry 40 and via the policy file 41. For example, the selected application may be designated as an "allowed" application, in which case the restrictions implemented by the registry 40 will no longer be applicable. Furthermore, icons via which a user may conveniently launch the relevant application may be restored to appropriate menus presented by the operating system 62 for the supported partition 54.

At step 288, the service technician may then restore restrictions imposed by the registry 40 applicable to the registry 40 itself, and to other applications that are not to be enabled or activated. At step 290, the service technician, via the support computer 300, then terminates the remote control of, or access to, the remote computer 50. The methodology then terminates at step 292. Rive '666, col. 5, lns. 45-62, and col. 18, lns. 4-53.

The service technician via the support computer 300 supplying the unique password to unlock the registry editor 46 and disable the restrictions placed on the registry editor during an initial configuration of the supported partition 54 on the hard drive on the computer system 50 fails to disclose, *inter alia*, a centralized facility receiving from a user via a data entry module remote from a remote stand-alone device an activation request for the option resident in the memory of the remote stand-alone device. Simply missing from the Office Action's citation to Rive '666 is any mention of the computer data signal embodied in the carrier wave and representing the sequence of receipt, at a centralized facility, of a request to activate an option resident in memory of a remote stand-alone device from a user via a data entry module remote from the centralized facility and communicatively coupled with the remote stand-alone device, as recited in Applicant's independent claim 17. In this regard, the Office Action concedes: "Rive lacks the user being remote from the centralized facility and the remote stand-alone device." *Office Action*, 07/19/06, pg. 12.

So, the Office Action's citation to Rive '666 fails to satisfy at least one of the limitations recited in Applicants' independent claim 17.

In connection with a number of Applicants' dependent claims, the Office Action's citations to Colvin '712, Mccown et al. '168, Castagna, Dutta '177, Rose '709, and Takae et al. '703, assuming, *arguendo*, they are correct, on their face fail to disclose, *inter alia*, receipt, at a centralized facility, of a request to activate an option resident in memory of a remote stand-alone

device from a user via a data entry module remote from the centralized facility and communicatively coupled with the remote stand-alone device, as recited in Applicant's independent claim 17.

The Office Action's citations to Steinmetz et al. '505, Whigham '309, Fenstemaker et al. '684, Rive '666, Colvin '712, Mccown et al. '168, Castagna, Dutta '177, Rose '709, and Takae et al. '703 all fail to meet at least one of Applicants' claimed features. For example, there is no teaching or suggestion in the Office Action's citations to Steinmetz et al. '505, Whigham '309, Fenstemaker et al. '684, Rive '666, Colvin '712, Mccown et al. '168, Castagna, Dutta '177, Rose '709, and Takae et al. '703 of receipt, at a centralized facility, of a request to activate an option resident in memory of a remote stand-alone device from a user via a data entry module remote from the centralized facility and communicatively coupled with the remote stand-alone device, as recited in Applicant's independent claim 17.

Furthermore, the Office Action does not allege that the art of record provides any teaching, suggestion, or incentive for modifying the citations to Steinmetz et al. '505, Whigham '309, Fenstemaker et al. '684, Rive '666, Colvin '712, Mccown et al. '168, Castagna, Dutta '177, Rose '709, and/or Takae et al. '703 to provide the claimed approach.

For at least the reasons presented above with reference to claim 17, claims 1, 10, 17, and 22 are believed neither anticipated nor obvious over the art of record. The corresponding dependent claims are believed allowable for at least the same reasons as independent claims 1, 10, 17, and 22, as well as for their own additional characterizations.

Withdrawal of the § 103 rejections is therefore respectfully requested.

Therefore, in light of at least the foregoing, Applicant respectfully believes that the present application is in condition for allowance. As a result, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 1-32.

Applicant hereby authorizes charging of Deposit Account No. 50-2402 for any additional fees associated with entering the aforementioned claims.

Applicant appreciates the Examiner's consideration of these Amendments and Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,

/Robert J. Brill/

Robert J. Brill
Registration No. 36,760
Direct Dial 773-832-4070
rjb@zpspatents.com

Dated: October 18, 2006
Attorney Docket No.: GEMS8081.123

P.O. ADDRESS:
Ziolkowski Patent Solutions Group, SC
14135 North Cedarburg Road
Mequon, WI 53097-1416
262-376-5170